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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff

v.

DAVID ALAN COHEN,

Defendant

Case No.: 2:17-cr-00114-APG-CWH


**Order Accepting Report and  
Recommendation and Denying Motion for  
Return of Property and for Suppression of  
Evidence**

[ECF Nos. 231, 232, 256]

On July 18, 2018, Magistrate Judge Hoffman issued a report and recommendation recommending I deny defendant David Alan Cohen's motion for return of property and for suppression of evidence because the motion was untimely. ECF No. 256. Cohen did not file an objection. Thus, I am not obligated to conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to "make a de novo determination of those portions of the report or specified proposed findings to which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) ("the district judge must review the magistrate judge's findings and recommendations de novo *if objection is made*, but not otherwise" (emphasis in original)).

IT IS THEREFORE ORDERED that Judge Hoffman's report and recommendation (**ECF No. 256**) is **accepted** and defendant David Alan Cohen's motion for return of property and for suppression of evidence (**ECF Nos. 231, 232**) are **DENIED**.

DATED this 10th day of August, 2018.

  
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ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE